

AMENDED IN SENATE JULY 2, 2014
AMENDED IN ASSEMBLY MAY 27, 2014
AMENDED IN ASSEMBLY MAY 1, 2014
AMENDED IN ASSEMBLY APRIL 24, 2014
AMENDED IN ASSEMBLY MARCH 28, 2014
CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2706

Introduced by Assembly Member Roger Hernández

February 21, 2014

An act to add and repeal Section 49452.9 of the Education Code, relating to health care coverage.

LEGISLATIVE COUNSEL'S DIGEST

AB 2706, as amended, Roger Hernández. Schools: health care coverage: enrollment assistance.

Existing law requires the governing board of a school district to make rules for the physical examination of pupils that will ensure proper care of the pupils and proper secrecy with regard to any defect noted. Existing law requires a pupil, while enrolled in kindergarten in a public school, or while enrolled in first grade in a public school if the pupil was not previously enrolled in kindergarten in a public school, to present proof, no later than May 31 of the school year, of having received an oral health assessment by a licensed dentist or other licensed or registered dental health professional operating within his or her scope of practice that was performed no earlier than 12 months prior to the date of the initial enrollment of the pupil. Existing law prohibits a school district

from permitting access to pupil records, other than directory information, to any person without parental consent or without a judicial order, except to specified persons under certain circumstances, including to a pupil 16 years of age or older or who has completed grade 10.

Existing law, the federal Patient Protection and Affordable Care Act (PPACA), requires an applicable individual to ensure that he or she, and any dependent of that individual, is covered under minimum essential coverage for each month beginning after 2013.

This bill would require a public school, for purposes of the 2015–16, 2016–17, and 2017–18 school years, to add an informational item to its enrollment forms, or amend an existing enrollment form in order to provide the parent or legal guardian information about health care coverage options and enrollment assistance. The bill would authorize a school, in order to fulfill this requirement, to either use a ~~template developed by the Superintendent of Public Instruction, or to~~ *template*, develop an informational ~~item~~ *item*, or amend an existing enrollment form to provide the information. The bill would authorize a school to also include a factsheet with its enrollment forms explaining basic information about affordable health care coverage options for children and families. The bill would require the State Department of Education to develop a standardized template for the factsheet and the informational item or amendment and would require the department to make those templates available on its Internet Web site *on or before August 1, 2015*, and provide written copies to a school district upon request.

By requiring schools to perform additional duties, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 49452.9 is added to the Education Code, to read:

49452.9. (a) For purposes of the 2015–16, 2016–17, and 2017–18 school years, a public school, including a charter school, shall add an informational item to its enrollment forms, or amend an existing enrollment form in order to provide the parent or legal guardian information about health care coverage options and enrollment assistance.

(b) To satisfy the requirements of subdivision (a), a school may do either of the following:

(1) Use a template developed by the Superintendent of Public Instruction pursuant to subdivision (d).

(2) Develop an informational item or amend an existing enrollment form to provide information about health care coverage options and enrollment assistance.

(c) A school may include a factsheet with its enrollment forms explaining basic information about affordable health care coverage options for children and families.

(d) (1) The State Department of Education shall develop a standardized template for both of the following:

(A) The informational item or amendment required by subdivision (a). ~~This template shall include a statement indicating that the information disclosed shall only be shared with specified entities or individuals who assist with health care coverage enrollment and shall not be shared with any other entities or individuals.~~

(B) The factsheet described in subdivision (c).

(2) The department shall make any templates developed pursuant to this subdivision available on its Internet Web site *on or before August 1, 2015*, and shall, upon request, provide written copies of the template to a school district.

(e) A school district shall not discriminate against a pupil who does not have health care coverage or use any information relating to a pupil's health care coverage or interest in learning about health care coverage in any manner that would bring harm to the pupil or the pupil's family.

~~(f) A school district is not liable for any civil damages resulting from any act or omission that may arise from the health care~~

1 coverage secured by a parent or legal guardian, or the lack thereof,
2 as a result of the connection to assistance provided by a school
3 within the district pursuant to this section.

4 (g)

5 (f) This section shall remain in effect only until January 1, 2019,
6 and as of that date is repealed, unless a later enacted statute, that
7 is enacted before January 1, 2019, deletes or extends that date.

8 SEC. 2. If the Commission on State Mandates determines that
9 this act contains costs mandated by the state, reimbursement to
10 local agencies and school districts for those costs shall be made
11 pursuant to Part 7 (commencing with Section 17500) of Division
12 4 of Title 2 of the Government Code.